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EXAMINER
BORLINGHAUS, JASON M

ART UNIT	PAPER NUMBER
3693	

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *18 December 2009*.

2a)☒ This action is **FINAL**.   2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-14 and 18-22* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-14, 18-22* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

        1.☐ Certified copies of the priority documents have been received.

        2.☐ Certified copies of the priority documents have been received in Application No. _____.

        3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____ .

5)☐ Notice of Informal Patent Application

6)☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

The factual inquiries set forth in *Graham* **v.** *John Deere Co.*, 383 U.S. 1, 148

USPQ 459 (1966), that are applied for establishing a background for determining

obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

Claims 1 – 5, 8 – 14 and 21 - 22 are rejected under 35 U.S.C. 103(a) as being

unpatentable over Chehade (US PG Pub. 2002/0128946) in view of Marso (US PG Pub.

2002/0078349).

Regarding Claims 1 – 5 and 21, Chehade discloses a method for enabling at

least one internal business process of a first trading partner (trading participant) which

uses a first data representation (first format) the method comprising: (see para. 33)

- receiving a message (business process data) from the internal business

    process of the first trading partner (trading participant), the message

    having the first data representation (first format). (see para. 33);

- automatically converting the message (business process data) having the first data representation (first format) into a corresponding message having the communication format specified by an interaction standard (second format) for communication outside of the first trading partner to a second trading partner using the interaction standard. (see para. 33);

- in the first trading partner, receiving a second message (response) in the communication format (second format) from the trading partner. (see para. 33);

- automatically converting the received message (business process data) having the communication format specified by the interaction standard (second format) into a corresponding message (business process data) having the first data representation (first format). (see para. 33);

- wherein the interaction standard is one of a business-to-business standard (RosettaNet). (see para. 15 – 17);

- wherein the interaction standard is one of RosettaNet business-to-business interaction standard. (see para. 15 – 17);

- wherein the business process (trading participant) includes at least one workflow. (see para. 16); and

- wherein the interaction standard (RosettaNet) defines syntax (grammar) and flow of interactions (sequence validation) among business processes (trading participants). (see para. 82)

Chehade does not teach that conversion of the message occurs internally within the first trading partner.

Marso discloses a system wherein the conversion of the message occurs internally within the first trading partner. (see para. 11).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to have modified Chehade by incorporating the internal conversion process, as disclosed by Marso, thereby providing the first trading partner control of the conversion process and ensuring that the conversion process adheres to the quality standards of the first trading partner.

Regarding Claims 8 – 14 and 22, such claims recite substantially similar limitations as claimed in previously rejected claims and, therefore, would have been obvious based upon previously rejected claims or are otherwise disclosed by the prior art applied in previously rejected claims. Such claim limitations are therefore rejected using the same art and rationale as previously utilized.

Claims 6 – 7 and 18 – 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Chehade and Marso, as applied to Claims 1 - 2 and 8 above, and further in view of Bhatt (US PG Pub. 2003/0101169) and Saito (Patent 6,032,124).

Regarding Claim 18, Chehade discloses a method wherein the step of automatically converting the received message (business process data) having the communication format (second format) specified by the interaction standard into the

corresponding message (business process data) having the first data representation

(first format) includes the steps of: (see para. 33)

- retrieving a service name (sender identifier) and queries (business

  process data). (see para. 55 – 57 and 80 - 84);

- parsing the request and extracting data. (see para. 80 - 84);

- starting the service (validation process) and passing data (to process

  module). (see para. 80 – 84);

- obtaining service (validation) results. (see para. 80 – 84);

- preparing a response (converting message). (see para. 84 – 85); and

- sending the message (transmits message). (see para. 84 - 85).

Chehade does not teach a method wherein the steps include retrieving an

extensible-markup query language (XQL) queries; retrieving an extensible markup

language (XML) template; preparing an XML response; sending the XML message; and

returning control to a workflow server, although Chehade does disclose that the

business processes' activities are dictated by workflow. (see para. 16).

Bhatt discloses a method wherein the steps include:

- retrieving extensible-markup query language (XQL) queries. (see para. 36

  & 72); parsing the request and extracting data (see para. 36 & 72);

- starting the service (retrieval) and passing data (to Path Processor). (see

  para.33 - 36);

- obtaining service results (retrieved data). (see para. 74);

- retrieving an extensible markup language (XML) template. (see para. 74 – 75);

- preparing an XML response (XML document). (see para. 74); and

- sending the XML message. (see para. 67).

Saito discloses a workflow server.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to have modified Chehade and Marso by incorporating the data storage and retrieval formats, as disclosed by Bhatt, thereby allowing for usage of conventional and standard data storage formats.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to have modified Chehade, Marso and Bhatt by incorporating a workflow server, as disclosed by Saito, thereby designating an automated server to manage the workflow information already addressed by Chehade.

Regarding Claims 6 – 7 and 19 - 20, such claims recite substantially similar limitations as claimed in previously rejected claims and, therefore, would have been obvious based upon previously rejected claims or are otherwise disclosed by the prior art applied in previously rejected claims. Such claim limitations are therefore rejected using the same art and rationale as previously utilized.

Response to Arguments

Applicant's arguments with respect to pending claims have been considered but are moot in view of the new ground(s) of rejection.

§112 Rejections

Regarding Claims 21 and 22, the previously asserted rejections under §112, 2nd

paragraph, are rescinded based upon claim amendments.

Regarding Claims 20, the previously asserted rejections under §112, 2nd

paragraph, are rescinded based upon the Applicant's arguments.

§103 Rejection

Applicant argues that the asserted prior art (Chehade) does not teach nor

suggest that the "the arrangement that is now set forth in claim 1 is internal to the

trading partner" but instead the asserted prior art discloses an intermediary performing

translations between trading partners.

Claim 1 states:

> ***A method for enabling at least one internal business process of a first***
> ***trading partner*** which uses a first data representation, the method comprising:
> - ***receiving a message from the internal business process of the first***
>   ***trading partner***, the message having a first data representation; and
> - automatically converting the message having the first data representation
>   into a corresponding message having a communication by an interaction
>   standard for communication outside of the first trading partner to a second
>   partner using the interaction standard. (emphasis added).

While the claim states that the method enables "at least one internal business

process" and "receiving a message from the internal business process", there is no

claim language that dictates that the conversion process, itself, is internal to the first

trading partner. All that is claimed is that the message enables and originates from

within an internal business process of a first trading partner. At best, the newly

amended claim language of the dependent claim (Claim 2) which states "in the first

trading partner" implies that the conversion process is internal to the first trading

partner.

Nonetheless, Examiner has provided additional prior art in the new grounds of

rejection to meet this newly added claim language and the Applicant's perceived

interpretation of the added claim language.

All argument(s) and/or rationale(s) set forth above with respect to earlier

addressed claim(s), Claim(s) 1, are hereby incorporated and/or reapplied so as to apply

to Claim(s)8 where applicable.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in

this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP

§ 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37

CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE

MONTHS from the mailing date of this action. In the event a first reply is filed within

TWO MONTHS of the mailing date of this final action and the advisory action is not

mailed until after the end of the THREE-MONTH shortened statutory period, then the

shortened statutory period will expire on the date the advisory action is mailed, and any

extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to JASON M. BORLINGHAUS whose telephone number is (571)272-6924. The examiner can normally be reached on Monday - Friday; 9am - 5:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, James A. Kramer can be reached on (571)272-6783. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Jason M Borlinghaus/
Examiner, Art Unit 3693
April 30, 2010